S.B.CIVIL WRIT PETITION NO.6646/2007

Kalu Ram Dodiyar
v.
State of Rajasthan & Anr.

Date of Order :: 10th October, 2007

HON'BLE MR.JUSTICE GOVIND MATHUR

Mr. S.P.Arora, for the petitioner.

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By this petition for writ a direction is sought to quash the notice dated 29.9.2007 issued by the Chief Executive Officer, Zila Parishad, Banswara convening a meeting of Gram Panchayat, Naharpura on 16.10.2007 to consider motion of no confidence against its Sarpanch Kalu Ram Dodiyar, the present petitioner.

The contention of counsel for the petitioner is that the motion of no confidence was not moved as per the provisions of Section 37 of the Rajasthan Panchayati Raj Act, 1994. It is asserted that from the notice given by Ward Panchs it does not reveal as to when and by whom the motion of no confidence was presented before the Executive Officer.

Heard counsel for the petitioner.

The meeting of the Gram Panchayat to consider no confidence motion has already been fixed on 16.10.2007. Out of total strength of 10 members of

Gram Panchayat, 9 Ward Panchs have moved application for initiating proceedings to consider no confidence motion against the petitioner. Counsel for the petitioner at this stage utterly failed as to what was the material non compliance or irregularity in submission of the notice for initiating motion of no confidence.

The writ petition, therefore, is dismissed. However, it shall be open for the petitioner to raise all the contentions made in this petition for writ if motion of no confidence is carried out against the petitioner and he choose to challenge the same.

(GOVIND MATHUR),J.

Kkm/ps.